

REMARKS

Claims 1 to 19 are pending in this application. Claims 12 to 19 were restricted.

Applicants again note and wish to thank the Examiner for acknowledging that claims 7 to 11 are allowable.

The rejection of claims 1 to 6 under 35 USC 103(a) for being obvious under U.S. Patent No. 3,118,887 to Hardy et al. (Hardy) is respectfully traversed. The Office Action acknowledges that Hardy only discloses examples of tris(2-hydroxynaphthyl)-triazines and not the mono(2-hydroxynaphthyl)-triazines of the present invention. The Office Action contends that Hardy teaches the equivalency of mono and tris(2-hydroxynaphthyl)-triazines by the definition of X,Y and Z in Formula I at col.1, line 60. The Office Action also contends that it would have been obvious to one skilled in the art to make a mono(2-hydroxynaphthyl)-triazines based on the disclosure of tris(2-hydroxynaphthyl)-triazines (Example 8 in Hardy) and the procedure taught in Hardy at col. 2, line 64 to col. 3, line 13.

However, the basic assumption by the Office Action that the mono and tris(2-hydroxynaphthyl)-triazine compounds are equivalent is incorrect. As demonstrated by Exhibit A in the declaration of Dr. Gupta, the tris(2-hydroxynaphthyl)-triazine compound of Hardy (Example 8) is not the equivalent of the mono(2-hydroxynaphthyl)-triazine compounds of the present invention because the symmetrical tris(2-hydroxynaphthyl)-triazine compound is not a good absorber of light in the important UV-B region. In fact, the mono(2-hydroxynaphthyl)-triazine compounds of the present invention have absorbance maximums in the UV-B region (see Exhibit A and the UV data in Examples 1 to 3 and 5 of the present application), while the symmetrical tris(2-hydroxynaphthyl)-triazine compound of Hardy has an absorbance minimum in the UV-B region. It is the opinion of Dr. Gupta that the symmetrical tris(2-hydroxynaphthyl)-triazine compound disclosed in Hardy would not make a good candidate for a UV absorber based upon its poor UV absorbance characteristics. Thus, the Office Action's argument concerning the equivalency of the compounds is incorrect.

Applicants respectively submit that one skilled in the art would not be motivated to make the mono(2-hydroxynaphthyl)-triazine compounds of the present invention based on the characteristics of the symmetrical tris(2-hydroxynaphthyl)-triazine compound disclosed in Hardy since the symmetrical compound has poor UV absorbance characteristics in the important UV-B region. Furthermore, based on the weak UV absorbance of the symmetrical tris(2-hydroxynaphthyl)-triazine compound in the UV-B region, it is rather surprising and unexpected that mono(2-hydroxynaphthyl)-triazine compounds show such strong UV absorbance in that region. There is no teaching or suggestion in Hardy even hinting at such strikingly different UV absorbance characteristics between the mono- and tris(2-

hydroxynaphthyl)-triazine compounds. Since there is no teaching or suggestion in Hardy that one would get such a result, the 103(a) rejection should be withdrawn.

The Office Action's other basic assumption that it would be obvious to make various substitutions to the symmetrical tris(2-hydroxynaphthyl)-triazine compound and expect the resulting compounds to possess similar UV absorbance characteristics is also not correct based on the data supplied in the declaration that shows significantly different UV absorbance characteristics between the mono- and tris(2-hydroxynaphthyl)-triazine compounds. In other words, one skilled would not have been motivated to make various substitutions to the symmetrical tris(2-hydroxynaphthyl)-triazine since the symmetrical compound is such a weak UV absorber in the UV-B region. This argument is especially true in light of the disclosure in Hardy, which states that the symmetrical tris(ortho-hydroxyphenyl) (or naphthyl)-s-triazines compounds are particularly preferred as UV absorbers (see col. 2, lines 28 to 32). Since the symmetrical tris(ortho-hydroxynaphthyl)-s-triazine [same as tris(2-hydroxynaphthyl)-s-triazine] compounds are particularly preferred, yet make such poor UV absorbers, one skilled would not have been motivated to make the mono(2-hydroxynaphthyl)-triazine compounds of the present invention. Accordingly, the 103(a) rejection should be withdrawn.

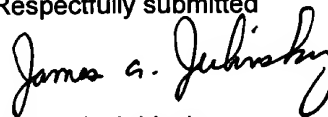
It is believed that pending claims 1 to 11 are in condition for allowance and an early notification of such allowance would be appreciated.

Applicants would like to remind the Examiner that claims 12 to 19 have not been withdrawn from this Application. If claims 1 to 6 are allowable, Applicants respectfully request that method claims 12 to 14 be rejoined under MPEP §821.04 since all the product claims are allowable and the non-elected method claims include all the limitations of the product claims.

In addition, Applicants also would request rejoinder of composition claims 15 to 19 since if products claims 1 to 11 are novel and non-obvious, any claims that wholly depend on claims 1 to 11 would also be novel and non-obvious. Since claims 15 to 19 wholly depend on claims 1 to 11, they should be rejoined.

No fee is believed due for the submission of this response. Should any fee be required, please charge Deposit Account No. 03-4083.

Respectfully submitted



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